

## Message Text

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ACTION NEA-16

INFO OCT-01 ISO-00 L-03 AID-20 EUR-25 PM-07 NSC-07 SP-03

SS-20 RSC-01 CIAE-00 INR-10 NSAE-00 SAB-01 SAM-01

OMB-01 EB-11 DRC-01 /128 W  
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R 021135Z JUN 74

FM AMEMBASSY CAIRO

TO SECSTATE WASHDC 6662

INFO SECDEF WASHDC

C O N F I D E N T I A L CAIRO 3782

E.O. 11652: GDS

TAGS: PBOR, MARR, EG

SUBJECT: SUEZ CANAL CLEARANCE AND SALVAGE AGREEMENTS

REF: CAIRO 3582

1. I AGAIN MET WITH MFA LEGAL ADVISOR ABDUL HAMIDYHQ  
THIS MORNING TO DISCUSS FURTHER THE REFERENCE AGREEMENTS.  
ABDUL HAMID IS ANXIOUS TO FINISH THIS MATTER  
QUICKLY SINCE HE LEAVES ON JUNE 15 FOR LOS MEETING  
IN CARACAS AND MAY BE AWAY FOR SOME TIME.

2. HE INDICATED THAT HE HAD GIVEN FURTHER STUDY  
TO OUR MOST RECENT SUGGESTIONS FOR AMENDING THE  
SUEZ CANAL CLEARANCE AGREEMENT (STATE 110595).  
EVEN AFTER STUDY HIS NEGATIVE REACTION TO THESE  
PROPOSALS AS REPORTED REFTEL CONTINUES. HE UNDERSTANDS  
OUR PROBLEM AND, IN AN EFFORT TO BE HELPFUL, ABDUL  
HAMID INDICATED THAT HE WOULD AGREE TO ALTER PARA  
3A OF FAHMY'S APRIL 25 NOTE TO READ ALONG THE LINES  
OF OUR EARLIER SUGGESTION (PARA 3B,  
STATE 95789). SPECIFICALLY, LANGUAGE WOULD READ:  
QUOTE PRIOR AUTHORIZATION IS NECESSARY FOR THE ENTRY  
OF AIRCRAFT AND VESSELS ASSIGNED TO OR SUPPORTING  
THE FORCE TO THE PORTS AND AIRFIELDS OF EGYPT AND  
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TO EGYPTIAN TERRITORIAL WATERS AND FOR THE DEPARTURE

OF SUCH AIRCRAFT FROM EGYPTIAN AIRFIELDS. REASONABLE NOTIFICATION SHALL BE GIVEN PRIOR TO DEPARTURE OF VESSELS SUPPORTING THE FORCE FROM PORTS AND EGYPTIAN TERRITORIAL WATERS UNQUOTE.

3. THIRD PARTY LIABILITY REMAINS A PROBLEM FOR HIM FOR REASONS PREVIOUSLY INDICATED. HE REITERATED HIS STRONG PREFERENCE FOR NO SPECIFIC REFERENCE IN THE DOCUMENT OTHER THAN WHAT IS ALREADY INCORPORATED IN PARA 2 OF FAHMY'S APRIL 25 NOTE WITH RESPECT TO EACH GOVERNMENT WAIVING CLAIMS AGAINST EACH OTHER FOR DAMAGE TO PROPERTY, ETC. SHOULD PROBLEMS ARISE, HE BELIEVES THEY SHOULD AND CAN BE HANDLED PRAGMATICALLY ON A MODUS VIVENDI BASIS. IF SOME SORT OF REFERENCE IS DEEMED TO BE ABSOLUTELY NECESSARY, ABDUL HAMID PROPOSED AN AMENDED VERSION OF THE PERTINENT LANGUAGE IN THE BRITISH DRAFT AGREEMENT (PARAS 7 AND 8 OF ANNEX B). WE UNDERSTAND DEPT HAS COPY OF THAT BRITISH DRAFT. AMENDED LANGUAGE WOULD READ AS FOLLOWS:

QUOTE CLAIMS (OTHER THAN CONTRACTUAL CLAIMS AND THOSE WAIVED BY THE ARAB REPUBLIC OF EGYPT) ARISING OUT OF ACTS OR OMISSIONS OF A MEMBER OF THE FORCE DONE IN THE PERFORMANCE OF HIS OFFICIAL DUTY WILL BE DEALT WITH BY THE EGYPTIAN GOVERNMENT. CLAIMS IN RESPECT OF ACTS OR OMISSIONS OF A MEMBER OF THE FORCE ARISING OTHERWISE THAN OUT OF OR IN THE COURSE OF HIS DUTY IN EGYPT MAY AT THE DISCRETION OF THE US SERVICE AUTHORITIES BE DEALT WITH AND SETTLED BY SUCH AUTHORITIES UNQUOTE.

4. ABDUL HAMID AGAIN URGED THAT THE SALVAGE AGREEMENT BE CONCLUDED WITHOUT DELAY. I CAN ONLY ECHO THAT VIEW, SINCE WE NOW HAVE AN INCREASED NUMBER OF NIMROD PERSONNEL IN EGYPT WHO ARE TOTALLY UNCOVERED AND SHOULD ANY PROBLEMS ARISE, ARE TOTALLY DEPENDENT UPON EGYPTIAN GOODWILL.

5. PLEASE LET ME HAVE DEPARTMENT/DOD REACTION TO ABDUL HAMID'S LATEST PROPOSALS ASAP. IF WE DO  
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NOT CONCLUDE AGREEMENT BEFORE ABDUL HAMID LEAVES,  
MATTER COULD BE IN SUSPENSE FOR MONTHS.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Subject:** SUEZ CANAL CLEARANCE AND SALVAGE AGREEMENTS  
**TAGS:** PBOR, MARR, EG, US, (HAMID, ABDUL)  
**To:** STATE  
**Type:** TE  
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